

TITLE 33
EDUCATION

CHAPTER 22
VOCATIONAL EDUCATION -- FEDERAL AID

33-2201. ASSENT TO SMITH-HUGHES ACT. The state of Idaho hereby accepts the benefits and provisions of an act of Congress approved February 23, 1917, entitled "An act to provide for the promotion of vocational education, to provide for the cooperation with the states and the promotion of such education in agriculture and the trades and industries; to provide for the cooperation with the states in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure," commonly known as the Smith-Hughes Act.

[(33-2201) 1919, ch. 53, sec. 1, p. 160; C.S., sec. 1002, I.C.A., sec. 32-1701.]

33-2202. STATE BOARD FOR CAREER TECHNICAL EDUCATION -- POWERS AND DUTIES. (1) The state board of education is hereby designated as the state board for career technical education for the purpose of carrying into effect the provisions of the federal act known as the Smith-Hughes act, amendments thereto, and any subsequent acts now or in the future enacted by the congress affecting vocational education, and is hereby authorized to cooperate with the United States office of education, vocational division, or any other agency of the United States designated to administer such legislation, in the administration and enforcement of the provisions of said act, or acts, and to exercise such powers and perform such acts as are necessary to entitle the state of Idaho to receive the benefits of the same, and to execute the laws of the state of Idaho relative to career technical education; to administer the funds provided by the federal government and the state of Idaho under the provisions of this chapter for promotion of education in agricultural subjects, trade and industrial subjects, family and consumer science subjects and other subjects authorized by the board. Incident to the other powers and duties of the board for career technical education, the board may hold title to real property.

(2) As used in this title, unless otherwise specifically defined, the term "career technical education" means all secondary, postsecondary, and adult courses, programs, training, and services administered by the division of career technical education for occupations or careers that require other than a baccalaureate, master's, or doctoral degree. As approved by the board, this term may also apply to specific courses or programs offered in grades 7 and 8 or offered by any approved public charter school that are delivered through traditional or virtual online instructional methods. This term may also apply to virtual, blended, or other career technical education programs.

(3) The courses, programs, training, and services include, but are not limited to, career, technical, and applied technology education. They are delivered through the career technical delivery system of public secondary schools, including approved public charter schools, irrespective of the delivery method, and postsecondary schools and colleges. The division of career technical education will include approved public charter schools and their students equally and without discrimination in reviewing, authorizing, and funding the delivery of career technical education courses and pro-

grams, irrespective of the school's chosen instructional delivery method, as long as the chosen instructional delivery method is appropriate to the nature of the work as demonstrated by participation in a capstone course that meets recognized industry standards. Career technical education programs may be delivered by traditional, blended, or virtual models and must meet the required elements as outlined in the state standards for secondary programs. Virtual programs will utilize post-capstone interviews conducted by industry professionals to demonstrate technical proficiency and to satisfy face-to-face requirements. Interviews will be based on students' needs and may be conducted face-to-face or electronically.

[(33-2202) 1919, ch. 53, part of sec. 2, p. 160; C.S., sec. 1003; I.C.A., sec. 32-1702; am. 1963, ch. 150, sec. 1, p. 451; am. 1970, ch. 4, sec. 1, p. 6; am. 1999, ch. 329, sec. 5, p. 856; am. 2016, ch. 25, sec. 11, p. 43; am. 2018, ch. 95, sec. 1, p. 203; am. 2019, ch. 298, sec. 2, p. 882.]

33-2203. FURTHER POWERS OF BOARD. The board shall have full power to formulate plans for the promotion of career technical education in such subjects as are an essential and integral part of the public school system of the state of Idaho, and to provide for the preparation of teachers of such subjects. It shall have full power to fix the compensation of such officials and assistants as may be necessary to administer the federal act herein referred to and to pay such compensation and other necessary expenses of administration from funds appropriated in this chapter and from money received under the provisions of the federal act. It shall have authority to make studies and investigations relating to career technical education in such subjects, to promote and aid in the establishment of local communities of schools, departments or classes, giving training in such subjects; to cooperate with the local communities in the maintenance of such schools, departments or classes; to prescribe qualifications for teachers, directors and supervisors for such subjects, and to have full authority to provide for the certification of such teachers, directors and supervisors, subject to the laws and rules governing the state board of education; to cooperate in the maintenance of classes supported and controlled by the public for the preparation of teachers, directors and supervisors of such subjects, or to maintain such classes under its own direction and control; and to establish and determine by general rule the qualifications to be possessed by persons engaged in the training of career technical teachers.

[(33-2203) 1919, ch. 53, part of sec. 2, p. 161; C.S., sec. 1004; I.C.A., sec. 32-1703; am. 1999, ch. 329, sec. 6, p. 857; am. 2016, ch. 25, sec. 12, p. 44.]

33-2204. MEETINGS OF STATE BOARD. The state board of education, when acting as the state board for career technical education, shall hold four (4) regular meetings annually at such time and place as may be directed by said board, but special meetings may be called at any time and at a place designated in said call by the president.

[(33-2204) 1919, ch. 53, part of sec. 2, p. 161; C.S., sec. 1005; I.C.A., sec. 32-1704; am. 1999, ch. 329, sec. 7, p. 858; am. 2016, ch. 25, sec. 13, p. 44.]

33-2205. STATE BOARD TO APPOINT ADMINISTRATOR -- DESIGNATION OF ASSISTANTS -- DIVISION OF CAREER TECHNICAL EDUCATION -- DUTIES AND POWERS. (1) The state board of education shall appoint a person to serve as an administrator to the state board for career technical education, who shall be known as the administrator of career technical education. The administrator shall designate, by and with the advice and consent of the state board for career technical education, such assistants as may be necessary to properly carry out the provisions of the federal acts and this chapter for the state of Idaho. The administrator and such assistants shall together be known as the division of career technical education.

(2) The administrator of career technical education shall also carry into effect such rules as the state board for career technical education may adopt, shall coordinate all efforts in career technical education approved by the board with the executive secretary, and shall prepare such reports concerning the condition of career technical education in the state as the state board for career technical education may require.

(3) The division of career technical education may coordinate with the Idaho digital learning academy to develop any statewide virtual career technical education course delivery. Districts may choose to enroll in the course offered by the Idaho digital learning academy or may use their own curriculum providers.

(4) The division of career technical education shall maintain a list of secondary career technical education pathways that can be delivered by traditional means or entirely online, or a combination of both methods. The division of career technical education shall develop a methodology for the funding of each pathway delivery type. For those pathways that are able to be delivered entirely online, there shall be a presumption that they shall receive the same funding as for traditional career technical education pathways; however, actual funding shall be based upon actual approved costs, not to exceed the cost of delivering these pathways in a traditional setting.

(5) The division of career technical education may provide incentives to Idaho public colleges and universities offering career technical programs that, in coordination with the division, align their foundational courses that are required in the same or substantially similar programs of study so as to achieve uniformity and transferability in the core program requirements at all such public colleges and universities. Postsecondary credits earned by a student in a career technical education program shall transfer at the full credit value to any public Idaho college or university in a like program of study and such postsecondary credits will be treated by any such public college or university as satisfying specific course requirements in such program of study.

(6) The board shall authorize the issuance of career technical education certificates to individuals who seek to teach in career-related subjects and who:

(a) Submit to a criminal history check as described in section [33-130](#), Idaho Code, and meet at least one (1) of the following criteria:

(i) Hold or have held an approved industry certification in a field closely related to the content area in which the individual seeks to teach as defined by the division of career technical education;

(ii) Demonstrate a minimum of six thousand (6,000) hours of professional experience in a field closely related to the content area in which the individual seeks to teach; or

(iii) Hold a baccalaureate degree in a field closely related to the content area in which the individual seeks to teach and demonstrate two thousand (2,000) hours of professional experience in a field closely related to the content area in which the individual seeks to teach; and

(b) Complete an educator training program or courses approved by the division of career technical education.

(7) The state board of education may promulgate rules to implement the provisions of this section.

[(33-2205) 1919, ch. 53, sec. 3, p. 161; C.S., sec. 1006; I.C.A., sec. 32-1705; am. 1963, ch. 150, sec. 2, p. 451; am. 1974, ch. 10, sec. 13, p. 49; am. 1999, ch. 329, sec. 8, p. 858; am. 2015, ch. 150, sec. 1, p. 540; am. 2016, ch. 25, sec. 14, p. 44; am. 2018, ch. 96, sec. 2, p. 204; am. 2019, ch. 298, sec. 3, p. 883; am. 2020, ch. 151, sec. 2, p. 453.]

33-2206. REPORTS. The state board for career technical education shall make annually to the governor and legislature a report of all moneys expended for career technical education both from state and federal funds, and shall include such annual report in the annual report of the state board of education.

[(33-2206) 1919, ch. 53, sec. 6, p. 162; C.S., sec. 1007; I.C.A., sec. 32-1706; am. 1976, ch. 9, sec. 2, p. 25; am. 1999, ch. 329, sec. 9, p. 858; am. 2016, ch. 25, sec. 15, p. 45.]

33-2207. CUSTODY AND DISBURSEMENT OF MONEYS APPROPRIATED. The state treasurer is hereby designated and appointed custodian of all moneys received by the state from the appropriation made by said act of congress, and he is authorized to receive and to provide for the proper custody of the same and to make disbursement thereof in the manner provided in the said act, and for the purposes therein specified. He shall also pay out any moneys appropriated by the state of Idaho for the promotion of career technical education in accordance with the provisions of sections [33-2201](#) through [33-2207](#), Idaho Code, and upon the order of the state board for career technical education.

[(33-2207) 1919, ch. 53, sec. 4, p. 162; C.S., sec. 1009; I.C.A., sec. 32-1707; am. 1999, ch. 329, sec. 10, p. 858; am. 2016, ch. 25, sec. 16, p. 45.]

33-2211. POWERS OF STATE BOARD FOR CAREER TECHNICAL EDUCATION. The state board for career technical education shall have the power:

(1) To adopt rules for its own government and any career technical or vocational rehabilitation program, including programs under chapters 22 and 23, [title 33](#), Idaho Code;

(2) To employ professional and nonprofessional persons and to prescribe their qualifications;

(3) To acquire and hold, and to dispose of, real and personal property, and to construct, repair, remodel and remove buildings;

(4) To contract for the acquisition, purchase or repair of buildings, in the manner prescribed for trustees of school districts pursuant to section [33-601](#), Idaho Code;

(5) To dispose of real and personal property in the manner prescribed for trustees of school districts pursuant to section [33-601](#), Idaho Code;

(6) To convey and transfer real property of the college upon which no buildings used for instruction are situated to nonprofit corporations, school districts, community college housing commissions, counties or municipalities, with or without consideration; to rent real or personal property for the use of the college, its students or faculty for such terms as may be determined by the state board for career technical education; and to lease real or personal property of the college not actually in use for instructional purposes on such terms as may be determined by the state board for career technical education;

(7) To acquire, hold, and dispose of water rights;

(8) To accept grants or gifts of money, materials, or property of any kind from any governmental agency or from any person, firm, or association on such terms as may be determined by the grantor;

(9) To cooperate with any governmental agency or any person, firm or association in the conduct of any educational program; to accept grants from any source for the conduct of such program, and to conduct such program on, or off, campus;

(10) To employ a president of the college and, with his advice, to appoint such assistants, instructors, specialists and other employees as are required for the operation of the college; to fix salaries and prescribe duties; and to remove the president or other employees in accordance with the policies and rules of the state board of education;

(11) With the advice of the president, to prescribe the courses and programs of study, the requirements for admission, the time and standards for completion of such courses and programs, and to grant certificates or associate of applied science degrees for those students entitled thereto;

(12) To employ architects or engineers in planning the construction, remodeling or repair of any building or property and, whenever no other agency is designated by law so to do, to let contracts for such construction, remodeling or repair and to supervise the work thereof; and

(13) To have at all times general supervision and control of all property, real and personal, appertaining to the college, and to insure the same.

[33-2211, added 1970, ch. 71, sec. 4, p. 183; am. 1972, ch. 110, sec. 4, p. 223; am. 1989, ch. 45, sec. 4, p. 58; am. 1998, ch. 60, sec. 1, p. 218; am. 1998, ch. 85, sec. 3, p. 295; am. 1999, ch. 329, sec. 14, p. 859; am. 2005, ch. 65, sec. 1, p. 228; am. 2006, ch. 84, sec. 1, p. 247; am. 2016, ch. 25, sec. 20, p. 46; am. 2016, ch. 108, sec. 2, p. 313; am. 2018, ch. 17, sec. 3, p. 24.]

33-2213. INDUSTRY PARTNER FUND. (1) There is hereby established in the state treasury the industry partner fund. The fund shall consist of moneys made available through legislative transfers and appropriations, and from any other source. The Idaho technical college leadership council (TCLC) and the administrator of the division of professional-technical education shall together administer the fund pursuant to the provisions of this section, and for the purpose of providing timely access to relevant college credit and noncredit training and support projects. If practicable, such training and projects may result in Idaho public college credits, certificates, certifications, qualifications or microcertifications of value toward postsecondary certificates or degrees.

(2) The professional-technical colleges may work with regional industry partners to provide a rapid response to gaps in skills and abilities using moneys from the fund. Any professional-technical college seeking

to use moneys from the fund for this purpose must submit a proposal documenting established needs to the TCLC and administrator for approval. The TCLC and administrator shall consider the proposals in light of regional demand, labor market information, wage thresholds, impact potential and degree of employer commitment. Preference will be given to proposals with multiple employers, number of impacted workers and demonstrated commitment. Demonstrated commitment must include a promissory contribution, either in terms of cash or in-kind contribution to the project cost with highest consideration given to match proposals. Within thirty (30) days of receipt of a proposal, the TCLC and administrator shall notify in writing the professional-technical college as to whether the proposal has been approved.

(3) The state board for professional-technical education may promulgate rules to implement the provisions of this section.

(4) No later than February 1 of each year, the TCLC and the administrator of the division of professional-technical education shall provide a report to the joint finance-appropriations committee, the legislative services office, budget and policy analysis, the division of financial management within the governor's office and to the education committees of the senate and the house of representatives, details regarding the proposals submitted, the proposals approved, the expenditures made from the industry partner fund and any other information requested by the legislature.

[33-2213, added 2016, ch. 266, sec. 1, p. 719.]